

## HOUSE BILL No. 1049

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 9-19; IC 9-21-7-2.

**Synopsis:** Headlights required when wipers are necessary. Requires the operator of a motor vehicle with a windshield that has been treated or has not been treated with rain repellant to display lighted head lamps whenever weather conditions require the continuous operation of windshield wipers on a vehicle with a windshield that has not been treated with rain repellant. Makes conforming changes.

**Effective:** July 1, 2001.

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**Duncan**

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January 8, 2001, read first time and referred to Committee on Roads and Transportation.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

## HOUSE BILL No. 1049

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 9-19-6-2 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) The requirements in this  
3 chapter setting forth the distance from which certain lamps and devices  
4 are required to render objects visible or within which the lamps or  
5 devices are required to be visible apply:  
6 (1) ~~during~~ **under** the ~~times~~ **circumstances** stated in IC 9-21-7-2;  
7 (2) with respect to a vehicle without load; and  
8 (3) when upon a straight, level, unlighted highway under normal  
9 atmospheric conditions;  
10 unless a different time or condition is expressly stated.  
11 (b) The mounted heights of lamps or devices required in this chapter  
12 are measured from the center of the lamp or device to the level ground  
13 upon which the vehicle stands when the vehicle is without a load.  
14 SECTION 2. IC 9-19-6-3 IS AMENDED TO READ AS FOLLOWS  
15 [EFFECTIVE JULY 1, 2001]: Sec. 3. (a) A motor vehicle other than a  
16 motorcycle or motor-driven cycle must be equipped with at least two  
17 (2) head lamps, with at least one (1) of the head lamps on each side of



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the front of the motor vehicle. The head lamps must comply with this chapter.

(b) Except as provided in subsection (c), a motorcycle and motor-driven cycle must be equipped with at least one (1) and not more than two (2) head lamps that comply with this chapter.

(c) A motorcycle manufactured before January 1, 1956, is not required to be equipped with a head lamp if the motorcycle is not operated ~~at~~ **under the times circumstances** when lighted head lamps and other illuminating devices are required under IC 9-21-7-2.

(d) A head lamp upon a motor vehicle, including a motorcycle and motor-driven cycle, must be located at a height measured from the center of the head lamp of not less than twenty-four (24) inches and not more than fifty-four (54) inches to be measured as set forth in section 2(b) of this chapter.

SECTION 3. IC 9-19-6-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 5. (a) Except as provided in subsections (b) through (d), a new motor vehicle sold and operated upon a highway, other than a truck-tractor, must carry on the rear, either as a part of the tail lamps or separately, two (2) red reflectors.

(b) Except as provided in subsection (c), a motorcycle and motor-driven cycle must carry at least one (1) reflector meeting the requirements of this section.

(c) A motorcycle manufactured before January 1, 1956, is not required to carry a reflector under this section if the motorcycle is not operated ~~at~~ **under the times circumstances** when lighted head lamps and other illuminating devices are required under IC 9-21-7-2.

(d) A vehicle of the type listed in section 7 of this chapter must be equipped with reflectors as required in those sections applicable to those vehicles.

(e) A reflector must be mounted on a vehicle at a height not less than twenty (20) inches and not more than sixty (60) inches as measured in the manner set forth in section 2(b) of this chapter. Except as otherwise provided, a reflector must be of the size and characteristics and mounted so as to be visible at night from all distances within three hundred fifty (350) feet to one hundred (100) feet from the vehicle when directly in front of lawful upper beams of head lamps.

SECTION 4. IC 9-19-6-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 6. (a) Except as provided in subsection (b), a person may not:

- (1) sell; or
- (2) drive on the highways;

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1 in Indiana a motor vehicle, including a motorcycle or motor-driven  
 2 cycle unless the vehicle is equipped with at least one (1) stoplight  
 3 meeting the requirements of section 17 of this chapter.

4 (b) A motorcycle manufactured before January 1, 1956, is not  
 5 required to be equipped with a stoplight under subsection (a) if the  
 6 motorcycle is not operated **at under** the ~~times~~ **circumstances** when  
 7 lighted head lamps and other illuminating devices are required under  
 8 IC 9-21-7-2.

9 (c) This subsection does not apply to a motorcycle or motor-driven  
 10 cycle. A person may not:

- 11 (1) sell;
- 12 (2) offer for sale; or
- 13 (3) operate on the highways;

14 a motor vehicle, trailer, or semitrailer registered in Indiana and  
 15 manufactured or assembled after January 1, 1956, unless the vehicle is  
 16 equipped with mechanical or electrical turn signals meeting the  
 17 requirements of section 17 of this chapter.

18 SECTION 5. IC 9-19-6-10 IS AMENDED TO READ AS  
 19 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 10. (a) A reflector upon  
 20 a vehicle referred to in section 7 of this chapter must be of the size and  
 21 characteristics and maintained so as to be readily visible at nighttime  
 22 from all distances within six hundred (600) feet to one hundred (100)  
 23 feet from the vehicle when directly in front of the lawful upper beams  
 24 of head lamps. A reflector required to be mounted on the side of a  
 25 vehicle must reflect the required color of light to the sides, and a  
 26 reflector mounted on the rear must reflect a red color to the rear.

27 (b) A front or rear clearance lamp must be capable of being seen and  
 28 distinguished under normal atmospheric conditions **at under** the ~~times~~  
 29 **circumstances** lights are required under IC 9-21-7-2 at a distance of  
 30 five hundred (500) feet from the front and rear, respectively, of the  
 31 vehicle.

32 (c) A side marker lamp must be capable of being seen and  
 33 distinguished under normal atmospheric conditions **at under** the ~~times~~  
 34 **circumstances** lights are required under IC 9-21-7-2 at a distance of  
 35 five hundred (500) feet from the side of the vehicle on which the side  
 36 marker lamps are mounted.

37 SECTION 6. IC 9-19-6-11 IS AMENDED TO READ AS  
 38 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 11. (a) A farm tractor  
 39 and a self-propelled farm equipment unit or an implement of husbandry  
 40 not equipped with an electric lighting system must, ~~at all times under~~  
 41 **the circumstances** required by IC 9-21-7-2, be equipped with the  
 42 following:

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(1) At least one (1) lamp displaying a white light visible from a distance of not less than five hundred (500) feet to the front of the vehicle.

(2) At least one (1) lamp displaying a red light visible from a distance of not less than five hundred (500) feet to the rear of the vehicle.

(3) Two (2) red reflectors visible from a distance of one hundred (100) feet to six hundred (600) feet to the rear when illuminated by the upper beams of head lamps.

The lights required by this subsection must be positioned so that one (1) lamp showing to the front and one (1) lamp or reflector showing to the rear will indicate the furthest projection of the tractor, unit, or implement on the side of the road used in passing the vehicle.

(b) A combination of farm tractor and towed unit of farm equipment or implement of husbandry not equipped with an electric lighting system must, **at all times under the circumstances** required by IC 9-21-7-2, be equipped with two (2) red reflectors that meet the following requirements:

(1) Are visible from a distance of one hundred (100) feet to six hundred (600) feet to the rear when illuminated by the upper beams of head lamps.

(2) Are mounted in a manner so as to indicate as nearly as practicable the extreme left and right rear projections of the towed unit or implement on the highway.

(c) A farm tractor and a self-propelled unit of farm equipment or an implement of husbandry equipped with an electric lighting system must, **at all times under the circumstances** required by IC 9-21-7-2, be equipped with the following:

(1) Two (2) single-beam or multiple-beam head lamps meeting the requirements of section 20 or 21 of this chapter IC 9-21-7-9.

(2) Two (2) red lamps visible from a distance of not less than five hundred (500) feet to the rear, or in the alternative, one (1) red lamp visible from a distance of not less than five hundred (500) feet to the rear and two (2) red reflectors visible from a distance of one hundred (100) feet to six hundred (600) feet to the rear when illuminated by the upper beams of head lamps.

The red lamps or reflectors must be mounted in the rear of the farm tractor or self-propelled implement of husbandry so as to indicate as nearly as practicable the extreme left and right projections of the vehicle on the highways.

(d) A combination of farm tractor and towed farm equipment or towed implement of husbandry equipped with an electric lighting

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system must, ~~at all times~~ **under the circumstances** required by IC 9-21-7-2, be equipped as follows:

(1) The farm tractor element of each combination must be equipped with two (2) single-beam or multiple-beam head lamps meeting the requirements of section 20 or 21 of this chapter or IC 9-21-7-9.

(2) The towed unit of farm equipment or implement of husbandry element of each combination must be equipped with the following:

(A) Two (2) red lamps visible from a distance of not less than five hundred (500) feet to the rear, or as an alternative, one (1) red lamp visible from a distance of not less than five hundred (500) feet to the rear.

(B) Two (2) red reflectors visible from a distance of one hundred (100) feet to six hundred (600) feet to the rear when illuminated by the upper beams of head lamps.

The red lamps or reflectors must be located so as to indicate as nearly as practicable the extreme left and right rear projections of the towed unit or implement on the highway.

(3) A combination of farm tractor and towed farm equipment or towed implement of husbandry equipped with an electric lighting system must be equipped with the following:

(A) A lamp displaying a white or an amber light, or any shade of color between white and amber, visible from a distance of not less than five hundred (500) feet to the front.

(B) A lamp displaying a red light visible from a distance of not less than five hundred (500) feet to the rear.

The lamps must be installed or capable of being positioned so as to indicate to the front and rear the furthest projection of that combination on the side of the road used by other vehicles in passing that combination.

(e) A farm tractor, a self-propelled farm equipment unit, or an implement of husbandry must not display blinding field or flood lights when operated on a highway.

(f) All rear lighting requirements may be satisfied by having a vehicle with flashing lights immediately trail farm equipment in accordance with IC 9-21-7-11.

SECTION 7. IC 9-19-6-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 17. (a) A motor vehicle may be equipped, and when required under this chapter must be equipped, with a stop lamp or lamps on the rear of the vehicle that:

(1) displays a red or an amber light, or any shade of color between

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red and amber, visible from a distance of not less than one hundred (100) feet to the rear in normal sunlight;

(2) will be actuated upon application of the service (foot) brake; and

(3) may be incorporated with at least one (1) other rear lamp.

(b) A motor vehicle may be equipped and when required under this chapter must be equipped with lamps or mechanical signal devices showing to the front and rear for the purpose of indicating an intention to turn either to the right or left. If lamps are used for this purpose, the lamps showing to the front must be located on the same level and as widely spaced laterally as practicable and when in use must display a white or an amber light, or any shade of color between white and amber, visible from a distance of not less than one hundred (100) feet to the front in normal sunlight. The lamps showing to the rear must be located at the same level and as widely spaced laterally as practicable and when in use must display a red or an amber light, or any shade of color between red and amber, visible from a distance of not less than one hundred (100) feet to the rear in normal sunlight. When actuated the lamps must indicate the intended direction of turning by flashing the lights showing to the front and rear on the side toward which the turn is made. If mechanical signal devices are used for this purpose, the devices must be self-illuminated when in use **at under the times circumstances** required by IC 9-21-7-2.

(c) A stop lamp or signal lamp or device may not project a glaring light.

SECTION 8. IC 9-19-7-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) Except as provided in subsection (b), a motorcycle operated on the streets or highways by a resident of Indiana must meet the following requirements:

(1) Be equipped with handlebars that rise not more than fifteen (15) inches above the level of the driver's seat or saddle, when occupied.

(2) Be equipped with brakes in good working order on both front and rear wheels.

(3) Be equipped with footrests or pegs for both operator and passenger.

(4) Be equipped with lamps and reflectors meeting the standards of the United States Department of Transportation.

(b) A motorcycle manufactured before January 1, 1956, is not required to be equipped with lamps and other illuminating devices under subsection (a) if the motorcycle is not operated **at under the times circumstances** when lighted head lamps and other illuminating

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1 devices are required under IC 9-21-7-2.

2 SECTION 9. IC 9-21-7-2 IS AMENDED TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) Except as provided in  
4 subsection (b), ~~and section 8 of this chapter~~, each vehicle upon an  
5 Indiana highway **must display lighted head lamps and other**  
6 **illuminating devices as required for different classes of vehicles**  
7 **under this chapter when the vehicle is operated under the following**  
8 **circumstances:**

9 (1) Between the time from sunset to sunrise. ~~and~~

10 (2) **Regardless of whether the windshield of the vehicle:**

11 (A) **has been treated with rain repellant; or**

12 (B) **has not been treated with rain repellant;**

13 **whenever weather conditions require continuous operation of**  
14 **windshield wipers on a windshield that has not been treated**  
15 **with rain repellant.**

16 (3) At any other time when, due to insufficient light or  
17 unfavorable atmospheric conditions, persons and vehicles on the  
18 highway are not clearly discernible at a distance of five hundred  
19 (500) feet ahead.

20 ~~must display lighted head lamps and other illuminating devices as~~  
21 ~~required for different classes of vehicles under this chapter.~~

22 (b) All lamp equipment required for vehicles described in IC 9-19-6  
23 shall be lighted ~~at under the times circumstances~~ mentioned in  
24 subsection (a), except that clearance and sidemarker lamps are not  
25 required to be lighted on a vehicle when the vehicle is operated within  
26 a municipality if there is sufficient light to render clearly discernible  
27 persons and vehicles on the highway at a distance of five hundred (500)  
28 feet.

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